

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 4, 2015

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Rudolph.

The Pledge of Allegiance was led by Benjamin Satterlee,
Page.

3RD ORDER

Approval of Journal

February 4, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-third Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

February 3, 2015

Mr. Speaker:

I return herewith [H 40](#) which has passed the Senate.

NOVAK, Secretary

[H 40](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

5TH ORDER

Report of Standing Committees

February 4, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 68](#), [H 69](#), [H 70](#), [H 71](#), [H 72](#), [H 73](#), [H 74](#), [H 75](#), [H 76](#), and [H 77](#).

WILLS, Chairman

[H 68](#) was referred to the Local Government Committee.

[H 69](#), [H 70](#), and [H 71](#) were referred to the Transportation and Defense Committee.

[H 72](#) was referred to the Health and Welfare Committee.

[H 73](#) was referred to the Agricultural Affairs Committee.

[H 74](#) was referred to the Education Committee.

[H 75](#), [H 76](#), and [H 77](#) were referred to the Revenue and Taxation Committee.

February 4, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 26](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 26](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 3, 2015

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#) and recommend that they do pass.

WOOD, Chairman

[H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#) were filed for second reading.

February 4, 2015

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 47](#), [H 48](#), [H 49](#), and [H 50](#) and recommend that they do pass.

RAYBOULD, Chairman

[H 47](#), [H 48](#), [H 49](#), and [H 50](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 3

BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE STATE'S ELEMENTARY, SECONDARY AND POSTSECONDARY LONGITUDINAL DATA SYSTEMS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the members of the Second Regular Session of the Sixty-second Idaho Legislature passed the Student Data Accessibility, Transparency and Accountability Act of 2014 to ensure that student information is protected and expectations of privacy are honored; and

WHEREAS, in passing the Act, the Legislature acknowledged that student information is a vital resource for teachers and school staff in planning responsive education programs and services, scheduling students into appropriate classes and completing reports for educational agencies; and

WHEREAS, the Legislature also affirmed that while student information is important for educational purposes, it is also critically important to ensure that student information is protected, safeguarded and kept private and used only by appropriate educational authorities and then, only to serve the best interests of the student; and

WHEREAS, Idaho citizens have expressed concerns about the Act and whether implementation of its provisions do serve the best interests of the students; and

WHEREAS, the concerns expressed include the privacy and security policies and procedures required to be developed under the Act; the efficacy of the technology used to collect and report student data, and to interface with private and public entities; the costs associated with the data system; and the federal government's mandated student data collection and reporting requirements, which intrude upon Idaho's state sovereignty and student privacy.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the state's elementary, secondary and postsecondary longitudinal data systems including, but not necessarily limited to, determining: (1) which data points are necessary for tracking student academic progress; (2) which data points must be collected and reported at the aggregate level; (3) which data points should be personally identifiable and why; (4) the extent to which federal funding is contingent upon the collection and reporting of student data to the federal government and the cost to the state of declining such funding; and (5) recommendations on: (a) simplifying and minimizing the collection of student data without compromising essential evaluation of educational efficacy; (b) protecting student privacy by limiting the collection of personally identifiable data; and (c) the cost/benefit of declining federal funds to save local funds, protect privacy and maintain local control of education as they relate to data collection. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the co-chairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Sixty-third Idaho Legislature.

HCR 3 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 78 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1369, IDAHO CODE, TO CLARIFY THAT FIFTEEN PERCENT OF CERTAIN OVERPAYMENTS MUST BE PAID INTO THE EMPLOYMENT SECURITY FUND AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 79 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT

RELATING TO THE ECONOMIC ADVISORY COUNCIL; AMENDING SECTION 67-4704, IDAHO CODE, TO REVISE COMPENSATION FOR MEMBERS OF THE ECONOMIC ADVISORY COUNCIL AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 80 BY BUSINESS COMMITTEE AN ACT

RELATING TO COSMETICIANS; AMENDING SECTION 54-827, IDAHO CODE, TO REVISE LANGUAGE RELATING TO REGISTRATION.

HOUSE BILL NO. 81 BY BUSINESS COMMITTEE AN ACT

RELATING TO GEOLOGISTS; AMENDING SECTION 54-2812, IDAHO CODE, TO REVISE LANGUAGE RELATING TO EXAMINATIONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-2814, IDAHO CODE, TO CLARIFY THE EXAMINATION PROCESS.

HOUSE BILL NO. 82 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO THE IDAHO STATE POLICE; AMENDING SECTION 67-2901, IDAHO CODE, TO AUTHORIZE THE IDAHO STATE POLICE TO CLOSE OR RESTRICT USE OF A HIGHWAY OR ROAD FOR PUBLIC SAFETY AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 83 BY EDUCATION COMMITTEE AN ACT

RELATING TO SCHOLARSHIPS; AMENDING CHAPTER 43, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4305, IDAHO CODE, TO PROVIDE FOR THE POSTSECONDARY CREDIT SCHOLARSHIP AND RELATED REQUIREMENTS.

H 78, H 79, H 80, H 81, H 82, and H 83 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER

Second Reading of Bills and Joint Resolutions

HCR 2 and **H 66**, by State Affairs Committee, were read the second time by title and filed for third reading.

H 43, H 44, H 55, and H 42, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

S 1013, by Finance Committee, was read the second time by title and filed for third reading.

11TH ORDER
Third Reading of Bills and Joint Resolutions

**S 1012 - APPROPRIATIONS - DIVISION OF
VOCATIONAL REHABILITATION**

S 1012 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

The question being, "Shall S 1012 pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Miller, Monks, Moyle, Nye, Packer, Palmer, Pence, Perry, Raybould, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 60.

NAYS – Barbieri, Cheatham, Dixon, McMillan, Mendive, Nate, Nielsen, Redman, Scott, Sims. Total – 10.

Total – 70.

Whereupon the Speaker declared that S 1012 passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Thursday, February 5, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:47 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk